

BOARD OF COMMISSIONERS WORK SESSION AGENDA

5:45pm, CBAB, 601 State Street, Hood River, OR - 1st Floor Conference Room

MINUTES

Chair Oates called the work session to order. Present: Commissioner Perkins, Commissioner McBride, Commissioner Joplin, Counsel Davies and Administrator Hecksel.

East Fork Pipeline Realignment Project – Niklas Christensen

Niklas Christensen, working with EFID – Niklas brought John Buckley, EFID Manager along as well as Cindy Thieman, HRWSD.

Niklas noted he had provided a written letter to the Commission outlining the project. The canal being piped starts at the base of Booth Hill and is approximately 6 miles along. Converting the open ditch to a pipeline allows for shortening the route and identified a location to save over 2000 ft which would save the District about \$375K and the majority of that is on county land. The part of the ditch that crosses private land those landowners have agreed to allow access to their property. Niklas has had discussions with Forestry about gaining an easement for the part that would cross county forestland.

EFID is asking the BOC to realign the pipe location to go across the specified county land.

John Buckley, EFID Manager – the benefit to piping will help with sediments. This will also eliminate some pumping. This will certainly help the district provide water to its customers. They do not have a reservoir. Nicklas said the project will also benefit the watershed.

Commissioner Perkins said the liability of having an open pipe will be diminished.

Joplin asked what happens to the existing canal. Niklas stated the part that is not used by the pipeline will be restored to allow for EFID access and the area that is on county property will be restored to however the county would like it.

Oates asked Doug Thiesies, Forest Manager for comments. Doug stated this is an intro to the project and wanted to make the commissioners aware of the project moving forward. At some point we will have to decide if this is in the best interest of the county since there will be alienation of county forest land involved. There will need to be a public hearing and determination if any staff time reimbursement is warranted. He just wanted to let the commissioners know this is a project on his plate and most likely coming their way in the future. Having the canal in pipe would be a benefit and help with liability. There is still some liability with the waterline but overall it is less.

The details and associated cost for an alignment still needs to be worked out to ensure both parties are covered.

Niklas asked about timing to complete the process with the county, they want to start construction next fall – would they come back with a formal ask or work with Doug? Jeff Hecksel, County Administrator stated Niklas would work with Doug Thiesies, he will be your primary contact and Doug will work most of the deal, bring it to the Commissioners in exec session and go from there.

Jeff doesn't see the time frame as an issue. Doug stated he would like to get this wrapped up by February.

BOARD OF COMMISSIONERS BUSINESS MEETING AGENDA
6:00pm, CBAB, 601 State Street, Hood River, OR - 1st Floor Conference Room

MINUTES

Chair Oates called the work session to order. Present: Commissioner Benton, Commissioner Perkins, Commissioner McBride, Commissioner Joplin, Counsel Davies and Administrator Hecksel.

Any item or issue not on the agenda you have a question, comment or statement about please bring up under Items from the Public

CONFLICTS OR POTENTIAL CONFLICTS OF INTEREST

None were declared.

ADDITIONS OR DELETIONS TO/FROM THE AGENDA

Jeff stated that the TPEP grant dollar amount has increased and the total asked is now \$304,651.

PUBLIC HEARINGS

Reciprocal Easement – Gray, Zeman and Hood River County

RECOMMENDATION: Conduct the hearing and determine the best action for the County.

Chair Oates called the public hearing to order and asked for a staff report.

Doug Thiesies, Forest Manager – has been working on this for several years, this started as a temporary easement to facilitate a timber sale with intent of formalizing the easement as some point. Survey work was done and reviewed by counsel and a Reciprocal Easement was drafted. The Commissioners set a hearing for this evening to consider the Reciprocal Easement. The County FAC reviewed and endorse the easement. The easement will be for forest practices only and not open to the public, the roads will be gated. The access will allow for more timely access to the county forest lands.

Alienation of county forestland per ORS 275.330 outlines the process that must take place for this hearing and all conditions have been met. An Order authorizing the alienation would be subject to the Circuit Court and if the Commission feels this alienation is in the best interest of the public they would ask legal counsel to draft the Order. Doug detailed the findings of facts and conclusions of law which supports approval of the Easement in the best interest to the public.

Staff recommends the Commissioners approve the reciprocal easement sign easement documents and direct legal counsel to draft an Order stating the findings of fact and conclusions of law.

Chair Oates asked for public comments on this issue. Hearing none he closed the public hearing and asked for commissioners' deliberations.

Commissioner Benton made a motion to approve the reciprocal easement as provided and alienation of designation county forest and signing of easement documents and direct legal counsel to draft and Order supporting the findings. Commissioner McBride seconded the motion.

Vote on the motion was as follows:

Commissioner Benton – yea
Commissioner McBride – yea
Commissioner Perkins -yea
Commissioner Joplin -yea
Chair Oates – yea

Motion carried.

Utility Easement – Zayo Group LLC

RECOMMENDATION: Conduct the hearing and determine the best action for the County.

Chair Oates called the public hearing to order and asked for a staff report.

Doug Thiesies, Forest Manager – this easement would allow for a fiber optic line to cross county lands. Zayo, LLC is installing fiber optic from Sandy OR to The Dalles, OR. Some of the line will cross county forest land. The easement includes considerations and terms if concluded by Oct 15, 2019. All ORS requirements have been met for the publication and consideration of the terms and hearing this evening.

Doug spelled out the conclusions of law and findings of facts. An Order is required if the commissioners vote to follow through with the alienation of county forest included in the easement. Doug spelled out the considerations to the Easement if approved. Staff recommends the commissioners accept the easement terms and have an Order drafted with the findings of facts and conclusions of law as he provided.

Benton asked if this still requires the Forest Service to approve the easement since they have a lease across the property. Doug said perhaps the Zayo representatives can speak to that this evening.

Chair Oates called for public comments.

Nilsa Nipolt, Pinemont Drive, Hood River OR – asked if the funding to be received as consideration for the easement is going to be distributed to the trails or how is it going to be used. Doug stated that the funds will be used for the trails program in general.

Nilsa said the map is confusing and it appears that the line will cross her property – Exhibit B-2b – she is lot 300 on that map, asked for clarification on that. Questioning if the fiber is going to go through her property.

Doug clarified that this easement is only for the piece that crosses the county forest land. The entire project does cross many landowners' lands and they (Zayo, LLC) will have to work with those individual land owners to get approval to cross the land.

Doug stated again that the information tonight only covers County property.

Nilsa stated she has spoken with the Zayo group and they have assured her they are not going through her property, wanted to bring this up because the map provided to the commission appears to have the fiber going across her property. She handed her written statement to the commission.

Emmett Horn, VP Zayo - wanted to answer the USFS NEPA process and they do have a letter of consent and a ruled plan to complete the project on their property.

Benton asked about concerns raised by Ms. Nipolt. Stated we (the Commission) are only authorizing permission across County property we do not have the authority give permission to cross Ms. Nipolt's property.

Horn stated they will not be crossing that property whatsoever.

Hearing no other comments Chair Oates closed the hearing and asked for deliberations of the Commissioners.

No deliberations.

Commissioner McBride made a motion to approve the Utility Easement as provide, direct legal counsel to draft an Order finding alienating of county forestland in the best interest of the public and authorized all documents to be signed. Perkins seconded the motion.

Vote on the motion was as follows:

Commissioner Benton – yea
Commissioner McBride – yea
Commissioner Perkins -yea
Commissioner Joplin -yea
Chair Oates – yea

Motion carried.

UNSCHEDULED ITEMS FROM THE PUBLIC

None.

REPORTS –

Perkins – continues to working on the energy plan, a few projects being looked at.

Joplin – attended an OSU extension meeting to introduce the interim provost and there was a lot of discussion for future funding and districting and seems they are actively looking at options for extension. They of course want to continue conversations with the county and be a part of whatever we move forward on if that is appropriate.

McBride – attending a visitor’s advisory council meeting and they are transition into Visit HR and it will focus more on spending TRT dollars to promote lodging related development as opposed to moving those funds into the chamber of commerce. The Chamber will run on a smaller budget which will mean changes. Visit HR has an RFP out for a marketing group. The current group has elected to not provide a proposal.

Attended a NORCOR meeting last month. Starting fund balance was a bit lower than they expected – part of that is because of the ongoing lawsuit they had going on.

Attended a MCHA meeting last month – revealed an upcoming affordable housing project in White Salmon.

Attended a bridge committee meeting – probably 18 months away from a supplemental EIS and then a final EIS from there. This was mainly an informational meeting. He was however able to bring up the initial discussion about public private partnership and expressed his hope that was still going to be investigated.

Attended another meeting with Joplin and Jeff and English to do some preliminary plan for the next funding ask.

Benton – NORCOR meetings. Coming up in October they will be reviewing the current arrangement of how NORCOR is being overseen – feels they will come up with likely next steps. One good thing is that a lot of information that was not making it to the Board is now coming to the Board so that is good.

Chair Oates – Held a Charter Review committee meeting last month and consensus to what will be proposed to the commissioners and now that is to legal for finalization before bringing it to the Commissioners for consideration.

Attended the HRC ID presentation at Mid Valley Elementary and he now has his HR County ID. Sheriff English was also there and received his HR County ID.

County Administrator - met with Paige Rouse and they will be putting a contract together based on the meeting he had with Joplin and Oates, there will be a small budget adjustment that comes in October to facilitate the public information work PageWorks will be doing.

We did hear from Mark Weiner and we are shooting for a meeting with him at the October meeting.

With the funding for the Zayo easement we will be doing a budget adjustment to recognize the revenue and expenditure in October.

Noted we have a vacancy in the VSO. We have dollars appropriated and it is his intent to provide those services. We are now short staffed in that department, like other departments, and his intent due to the unknown funding stability until late next year is to find a contractor or contractors to fill that role. There will be some reduction in service in the meantime.

Benton asked about the temp building inspectors listed on the open positions information under reports and wanted to clarify that it is really funded through special Building funds not general fund. That was confirmed.

CONSENT ITEMS

- ✓ Approve the following Board of Commissioner meeting and work session minutes: July 1, 2019, July 15, 2019, August 12, 2019.
- ✓ Appoint the following citizens to the BOPTA Pool October 15, 2019 – June 30, 2020: Rita Ketler, Tanner Hall and Ginnie Mooney and confirm appointment of Commissioner Benton as the governing body representative on the BOPTA.
- ✓ Approve a budget adjustment & resolution to recognize the revenue and expenditures in the Health department Bio-Terrorism Prep budget from a Region 6 HPP-Public Health Preparedness grant from the Oregon Health Authority FY 19/20.
- ✓ Confirm e-mail poll approval from 8/30/19 that granted out of state travel for two Health department employees to attend a training in Idaho September 9-12, 2019.
- ✓ Confirm e-mail poll approval from 9/3/19 that awarded two timber sales to the highest bidders: Leopard TS #20-7 to WyEast Timber Services, LLC and the Licorice Timber Sale #20-8 to Western Forest Products US, LLC.
- ✓ Confirm e-mail poll approval from 8/30/19 that authorize Chair Oates to sign off on the OLCC liquor license for Cinagrovino.
- ✓ Declare Public Works equipment #00054 (grader) as surplus and authorize it to be sold at auction with a minimum price of \$25,000.
- ✓ Declare the following Public Works equipment to be surplus and sold at auction: equipment #00025, 00176 and 00178.
- ✓ Approve the tax refund over \$5000 for account #13626 as presented.
- ✓ Authorize the Prevention department to apply for a Tobacco Prevention Education Program (Element 13) grant through the Oregon Health Authority in the amount of \$186,163 for the 2019-2021 biennium and authorize the County Administrator to sign the grant application if necessary.
- ✓ Authorize Chair Oates to sign a letter of support for Western Rivers Conservancy Forest Legacy Program grant application.

Commissioner Perkins made a motion to approve the consent agenda with the change in the grant request for the TPEP application mentioned by Hecksel at the beginning of the meeting.

Benton seconded the motion.

Chair Oates asked for corrections to the July 15th minutes; he is referred to as Chair Rivers in two locations and also in the recommendation on the agenda request form for the Western Rivers Conservancy letter of support.

Commissioner Perkins amended his motion to reflect changes to the minutes and reference in the Western Rivers letter of support documentation. Benton seconded the amendment.

Vote on the motion was as follows:

Commissioner Perkins – yea
Commissioner Benton – yea
Commissioner Joplin – yea
Commissioner McBride -yea

Motion carried.

NEW BUSINESS

Columbia Gorge Scenic Area Boundary Adjustment Discussion

RECOMMENDATION: Review Commissioners position on this subject.

Hecksel stated that during packet review they were made aware of a conversation at the Columbia River Gorge commission meeting that our representative was not in favor or changing the boundaries. Hecksel said that he is not aware of what the commissioner's position is on this point and it seems that perhaps our rep is not either. it would be helpful to know if the commission wants to see flexibility or not opportunity for expansion. In terms of proceeding forward if you have input on how the NSA should look expansion it would be helpful to be able to express that.

Eric Walker, Comm Development director – provided maps and a copy of a letter provided by the previous director in July 2017 to the gorge commission. Several issues are being looked at and this is just one of them (expansion of the UGB). A series of meetings have been held and he has attended several of those the last one being in August. The Dalles and Wasco County is very sensitive to this issue since they are surrounded by the NSA and have no where to grow. HRC is in a bit of a different situation.

Benton asked if we should have a policy. Feels flexibility is good but not knowing the spectrum of the adjustments it is hard to land on a particular side.

Perkins and other commissioners would agree

Walker doesn't feel that anyone is of the mind that boundaries should not change, but the NSA is what it is, and folks feel adjustments should be in-kind and not a reduction to the overall NSA boundary.

Walker said that if we take what was sent to the Gorge Commission in 2017 by the previous CD director on Page 3 of the handout and share that message again, he feels that would still be appropriate.

EXECUTIVE SESSION – September 16, 2019

Chair Oates move the commission into exec session at 7:00pm and listed the highlighted ORS' below:

As necessary, Executive Session will be held in accordance with but not limited to:

ORS 192.660 (2) (a) Personnel, ORS 192.660 (2)(d) Labor Negotiations, ORS 192.660 (2)(e) Property, and ORS 192.660 (2)(h) Legal Counsel,

ADJOURNMENT – Chair Oates adjourned the meeting at 7:25pm.